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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,938	08/26/2003	Bernard Burg	100111520-2	3064

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
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EXAMINER

LIEU, JULIE BICHNGOC

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/647,938	Applicant(s) BURG ET AL.	
	Examiner Julie Lieu	Art Unit 2636	<i>He</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/26/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Applicant's preliminary amendment file August 26, 2003. Claims 9-27 have been canceled. New claims 28-29 have been added.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1- are rejected under 35 U.S.C. 102(b) as being anticipated by Major (US Patent No 5,250,955).

Claim 1:

Major et al. Discloses an electronic guide system, comprising:

- a. a fixed-location beacon 10 associated with a plurality of landmarks to transmit electronic signals containing descriptive information of each of the landmarks;
- b. a client device 14 physically separated from the beacon 10 to receive the electronic signals containing the descriptive information of each of the landmarks when placed by a user within a transmission range of the beacon.
- c. a viewing direction sensor 22, 24 that determines viewing direction of the user to

cause the client device to provide the user with the descriptive information of one of the landmarks at which the user is looking.

Claim 2:

The fixed-location beacon 10 further comprises:

- a. a landmark data store (inherent memory within beacon 10) that stores the descriptive information of each of the landmarks
- b. a transmitter 12 coupled to the landmark data store to transmit the electronic signals containing the descriptive information of the landmarks.

Claim 3:

The transmitter 12 transmits the electronic signals periodically, constantly, or only when activated by external stimulus.

Claim 4:

The fixed- location beacon10 further comprises an updating module that updates the descriptive information stored in the landmark data store. Col. 6, lines 10-23.

Claim 7:

Beacon 10 multiplexes the electronic signals containing the descriptive information of the landmarks such that descriptive information of the landmarks is transmitted by a signal communication channel. Col. 3, last paragraph to col. 4, first paragraph.

Claim 28:

The viewing direction sensor 22 and 24 further determines the direction of the user to cause the client device 14 to provides the user with a relative direction of one of the landmarks at which the user desires to look. That is, the beacon station 12 detects the direction of travel

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(landmark (e.g. California.) at which the user desires to look and provides the information to the user's subsystem 14 as which state the driver is approaching).

Claim 29:

Similarly as discussed above in the rejection of claim 28, the viewing direction sensor 22 and 24 further determines the direction of the user to cause the client device 14 to provides the user with a relative direction of one the fixed location beacon. That is, the beacon station 12 detects the direction of travel (landmark (e.g. California.) at which the user desires to look) and provides the information to the user's subsystem 14 as which state the driver is approaching the border mark of the two states, OR and CA).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Major (US Patent No 5,250,955).

Claim 5:

The communication in Major's system is wireless. However, it would have been obvious to one skilled in the art to provide wired communication in the system of Major's because it would also allow the drivers whose vehicles are not equipped with the device to be able to use the beacon system to obtain the landmark information. Also, it is inherent that the client device is regarded to be within the transmission range of the beacon the when client device is coupled to the transmitter of the beacon by wired line.

Claim 6:

Major appears to multiplexing device to transmit information to vehicle subsystem. Col. 3, last paragraph to col. 4, first paragraph. However, it would have been obvious to one skilled in the art to use a multiple channel communicating in the Major system as desired because it would be advantageous to provide information to vehicle in both directions.

Allowable Subject Matter

6. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's Remarks

7. Applicant's arguments filed 8/26/03 have been fully considered but they are not persuasive. Note that the applicant made a remark regarding claims 29 and 30, however, only claims 28-29 are found the preliminary amendment.

The applicant has asserted that Major does not teach, imply, or suggest broadcasting information concerning a plurality of locations. The applicant has further contended that the Major teaches a beacon that is "fixed in source" and thus does not represent a plurality of landmarks.

Response to Applicant's Remarks

8. The examiner submits that Major does teach broadcasting information concerning a plurality of locations as stated in col. 4, line 35 to col. 5, line 20. Furthermore the beacon 12 in

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Major though is "fixed in source", it does represent a plurality of landmarks, which is the two states Oregon and California.

The applicant's argument is not deemed persuasive, and therefore, rejection is maintained.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Lieu whose telephone number is 571-272-2978. The examiner can normally be reached on Mon-Fri 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Julie Lieu", with a long, sweeping horizontal line extending to the right.

Julie Lieu
Primary Examiner
Art Unit 2636

Oct. 1, 04